

Message Text

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R 250007Z OCT 73

FM SECSTATE WASHDC

TO AMEMBASSY ADDIS ABABA

INFO AMCONSUL ASMARA

CSAF

USCINCEUR

CINCUSAFE

MAC SCOTT AFB ILL

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E.O. 11652: GDS

TAGS: MARR, ET

SUBJECT: LANDING/PARKING/NAVIGATION FEES IN ETHIOPIA

REFERENCE: (A) ADDIS 9796

(B) STATE 144339

1. WE ARE WILLING TO ACCEPT CAA ADMINISTRATOR'S ASSESSMENT FORMULA (REPORTED REF (A), PARA 2 (A) AND (B)) FOR LANDING/PARKING FEES AS THE MORE EFFICIENT METHOD (THAT IS, ALL FLIGHTS EXEMPT AT ADDIS, BUT ALL FLIGHTS CHARGED AT ASMARA).

2. WE REQUEST CLARIFICATION FROM EMBASSY, HOWEVER, BEFORE
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DEALING WITH THE CAA PROPOSAL ON NAVIGATION FEES.

REF (A), PARA 2 (C), DESCRIBED THIS PROPOSAL AS ASSESSING NAVIGATION FEES AT ONE-HALF THE "TOTAL OF ACTUAL CHARGES" ARISING FROM THE USE OF BOTH AIRPORTS BY ALL MAAG AND NON-MAAG AIRCRAFT. WE ARE UNCERTAIN WHETHER THE USE OF THE QUOTED LANGUAGE INDICATES CAA ACCEPTANCE OF THE THRUST OF OUR PROPOSAL IN REF. (B), PARA 2 (B), THAT IS, THAT THE ANNUAL CHARGE WOULD BE NEGOTIATED AND REPRESENT COMPENSATION FOR ACTUAL BURDENS PLACED ON ITS AIR TRAFFIC CONTROL FACILITIES BY NON-MAAG FLIGHTS. IF THE CURRENT CAA PROPOSAL WAS BASED ON THE THEORY OF OUR PROPOSAL, THEN WE WOULD HAVE NO OBJECTION TO IT SINCE THE PRINCIPLE OF NEGOTIATING THE VALUE OF THE ACTUAL BURDENS ON IEG AIR TRAFFIC CONTROL FACILITIES WOULD REMAIN INTACT, AND THE ONLY PURPOSE OF THE CHANGE WOULD BE TO ADOPT THE MOST EFFICIENT METHOD OF DEALING WITH THE EXEMPTION FOR MAAG SUPPORT FLIGHTS. IF, HOWEVER, THE USE OF THE PHRASE, "TOTAL OF ACTUAL CHARGES" IN REF (A) DOES NOT INDICATE CAA AGREEMENT WITH THE PRINCIPLE OF OUR PROPOSAL, THEN THE ONLY WAY TO INTERPRET THE CAA PROPOSAL IS THAT IT INTENDS TO FIX THE ANNUAL CHARGE FOR NAVIGATION SERVICES MECHANICALLY BY APPLYING THE IEG COMMERCIAL "EN ROUTE NAVIGATIONAL CHARGES" TO ALL FLIGHTS BY MAAG AND NON-MAAG AIRCRAFT AND THEN REQUIRE PAYMENT OF ONE-HALF (PRESUMABLY RECOGNIZING THE EXEMPTION FOR MAAG FLIGHTS). SUCH A PROPOSAL WOULD BE UNACCEPTABLE BECAUSE IT IS ENTIRELY CONTRARY TO THE BASIC PRINCIPLES OF OUR PROPOSAL WHICH WAS FORMULATED TO PRESERVE OUR FIRM POSITION THAT US STATE AIRCRAFT ARE NOT LIABLE FOR IEG "EN ROUTE NAVIGATIONAL CHARGES."

3. WE ALSO REQUEST ADDITIONAL INFORMATION FROM EMBASSY CONCERNING THE CAA ADMINISTRATOR'S CURRENT PROPOSAL FOR LIQUIDATING PAST AND CURRENT DEBTS REPORTED REF (A), PARA 2 (C) (THE SECOND PARAGRAPH LETTERED "(C)"). AS WE UNDERSTAND THAT PROPOSAL, THE REDUCTION OF MAAG SUPPORT COST WOULD BE LIMITED TO ANNUAL DEDUCTIONS OF ONLY PAST DUE LANDING/PARKING/NAVIGATION FEES FROM OUR MAAG SUPPORT COST BILLINGS OF THE NEXT TWO YEARS, AFTER WHICH THE REDUCTION WOULD TERMINATE WITH ITS PURPOSE FULFILLED; THE IEG WOULD ELIMINATE ITS MAAG SUPPORT COST ARREARAGES SIMULTANEOUSLY OVER THE SAME TWO-YEAR PERIOD; AND FUTURE (I.E., DURING THE

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TWO-YEAR PERIOD AND THEREAFTER) LANDING/PARKING/NAVIGATION FEES AND MAAG SUPPORT COST BILLINGS WOULD BE PAID CURRENTLY BY EACH GOVERNMENT. THIS DIFFERS FROM OUR PROPOSAL IN REF (B), WHICH ENVISAGED A BROADER AND CONTINUING REDUCTION UNDER WHICH NOT ONLY PAST, BUT ALSO FUTURE, LANDING/PARKING/NAVIGATION FEES WOULD BE ANNUALLY DDUCTED FROM OUR FUTURE MAAG SUPPORT COST BILLINGS BUT UNDER WHICH THERE WAS NO EXPRESS ARRANGEMENT FOR THE ELIMINATION

OF MAAG SUPPORT COST ARREARAGES. (FYI - ALTHOUGH THERE ARE MANIFEST ADVANTAGES TO THE REDUCTION WE PROPOSED IN REF (B), (PARTICULARLY THAT FUTURE, AS WELL AS PAST, LAND-ING/PARKING/NAVIGATIONFEES WOULD BE ELIMINATED AUTO-MATICALLY BY REDUCING FUTURE MAAG BILLINGS) WE ARE IN-TERESTED IN EXPLORING THE CURRENT CAA PROPOSAL, ESPECIALLY SINCE IT SEEMS TO INCORPORATE THE PRINCIPLES OF MUTUAL, AND INDEED CONTINGENT, ELIMINATION OF PAST AND FUTURE DEBTS, THAT IS, THAT PAYMENT BY THE USG OF PAST AND CURRE-NT FEES IS CONTINGENT UPON IEG PAYMENT OF PAST AND CURRENT MAAG SUPPORT COST BILLINGS, AND VICE VERSA. IF THIS AS-PECT OF THE CAA PROPOSAL HAS THE SUPPORT OF THE APPROPRIA-TE IEG MINISTRIES, PARTICULARLY THE MOD, THE CHANCES OF ITS SUCCESSFUL IMPLEMENTATION BECOME MORE REAL, AND ACCORD-INGLY, IT MAY BE IN THE BEST INTERESTS

OF THE USG TO ACCEPT IT IN LIEU OF OUR PROPOSAL IN
REF (B) END FYI). WE REQUEST, THEREFORE, THAT EMBASSY
PROVIDE US WITH AN EVALUATION OF THIS ASPECT OF THE CAA
PROPOSAL (THAT IS, DID THE CAA ADMINISTRATOR INTEND TO
MAKE THE PAYMENTS CONTINGENT UPON EACH OTHER) AND OF
THE SUPPORT FOR IT IN THE OTHER APPROPRIATE MINISTRIES.

4. EMBASSY EVALUATIONS REQUESTED IN PARAGRAPHS 2 AND 3
ABOVE SHOULD BE MADE ON THE BASIS OF INFORMATION AT
PRESENT AVAILABLE AND SHOULD NOT INVOLVE CONTACT WITH
IEG OFFICIALS SINCE WE PREFER TO PRESENT OUR FORMAL
RESPONSE TO THE LATEST PROPOSALS AS A PACKAGE AT A
LATER TIME. WE FURTHER REQUEST EMBASSY'S EVALUATION
OF POSSIBLE EFFECT THAT THE PHASE DOWN OF ACTIVITY AT
KAGNEW WILL HAVE ON THE CAA PROPOSAL. KISSINGER

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